vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3140 OF 2004
IN
SUIT NO.2548 OF 2004

Shahnawaz Suleman Qureshi ... Plaintiff

V/s.

Bai Khadija Mushtry & Anr. ... Defendants

Ms.Shruti Naik i/b HSS Murthy for Plaintiff
Mr.A.M. Rajabally for Defendants

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JUNE 6, 2006**

P.C.:

. The suit has been filed on the basis of a document which is at Exhibit B. This document purports to be a Memorandum of Understanding entered into between the plaintiff and the defendants. According to the defendants, who have taken out this Motion, this document is not a genuine document since on taking inspection it has been found that the stamp paper has been issued in the name of an advocate & not the alleged signatories. The signatures which are claimed as those of defendants' signatures are denied by them. There is no reply to the Motion.

2. In view of the averments contained in the affidavit in support of the Motion, the Motion is allowed in terms of prayer clauses (a), (b) and (c). The document at Exhibit B which purports to be the

Memorandum of Understanding dated 20.3.2004 shall be deposited in this Court within a week from today. The Office shall send the document to an handwriting expert of the State for verification of the signatures. The report of the handwriting expert to be made available in the Court within eight weeks from the date of the deposit of the document.

3. Motion stands disposed of accordingly.